

REMARKS/ARGUMENTS

The Examiner's action included rejections of claims 1, 2, 4 and & 7 under two articles discussing early stone tools. The reason being that the claims as originally filed do not specifically indicate that they included steel within the blades and that the multi-element mineral was a mere fraction or percentage of the content of the steel. Both of the two references under which the claims were rejected under Section 102(b) were for handheld stone axes. Neither of the two references discussed a combination of a steel including a multi-element mineral. In view of the amendments to claim 1, the 35 U.S.C. § 102 rejection of claims 1, 2, 4 and 7 are hereby believed to be resolved.

The Examiner also rejected the claims under 35 U.S.C. § 103, specifically, claims 1-7, 11 and 12 were rejected under various combinations based upon the Bregler reference, U.S. Patent 5,136,992. The Bregler reference discusses a particular type of steel. While the Bregler reference mentions a ferrite-perlite steel it is not readily decipherable whether the perlite referred to is the same type of material as the multi-element mineral perlite discussed in the application. However, the Bregler reference includes specific discussions of constituting components added to an iron base, amongst these components is listed silicon in the amount of .4 to .9 weight percent. The application does not mention a silicon dioxide material nor does it mention how much silicon dioxide would be included even if the silicon is in an oxidized form. Since the silicon is not described as being in the oxidized form in the Bregler reference, it is not the same type of material as is discussed in the present application. Further, the Amendment to claim 1, which now more clearly defines that the blade is formed from steel in an additive of .5% to 3% of a predominately silicon dioxide based multi-element mineral, is not disclosed within Bregler or any of the other three references to which Bregler is combined. Accordingly, in view of the Amendments and the discussion of the specification, it is respectfully submitted that the claims as amended are not obvious in view of a combination of Bregler with any of Frost, Futterer or Penozza. Reconsideration and allowance of the claims as amended is therefore respectfully requested.

SUMMARY

Following review of the foregoing amendments and comments, if there are any outstanding issues the Examiner is invited to call the undersigned attorney in order to expedite prosecution of this application.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853 during the pendency of prosecution of this application. Should such additional fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefor. A duplicate of this paper is enclosed for the Deposit Account, should it be needed.

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Respectfully submitted,



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